

Our communities, our economy and our families all depend on water to survive, grow and prosper. Deciding how to use such a rare commodity in a way that does the greatest good for the greatest number, while hewing to the principles of law and equity on which our society is based, is an enormous challenge. The task is further complicated, and brought into sharp focus, by the 6-year drought Idaho recently experienced and is seen in much of the arid West.

Our energy, our economy and our environment all will depend on the ability to anticipate and prioritize future water needs. Our children, our grandchildren and generations to come all are depending on the choices we make today. Preserving water rights while providing for continued growth are a top priority of mine and I will continue to work to achieve that goal.

I encourage a "yes" vote on this important piece of legislation.

Mr. PALLONE. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RADANOVICH. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 2563, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. RADANOVICH. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

MADERA WATER SUPPLY ENHANCEMENT ACT

Mr. RADANOVICH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3897) to authorize the Secretary of the Interior, acting through the Bureau of Reclamation to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply and Groundwater Enhancement Project, as amended.

The Clerk read as follows:

H.R. 3897

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Madera Water Supply Enhancement Act".

SEC. 2. DEFINITIONS.

(a) The term "District" means the Madera Irrigation District, Madera, California.

(b) The term "Project" means the "Madera Water Supply and Enhancement Project".

(c) The term "Secretary" means the Secretary of the United States Department of the Interior.

SEC. 3. STUDY AND REPORT.

(a) STUDY.—Pursuant to the Reclamation Act of 1902 (32 Stat. 388) and Acts amend-

atory thereof and supplemental thereto, the Secretary, acting through the Commissioner of the Bureau of Reclamation, and in consultation and cooperation with the District, is authorized to conduct a study to determine the feasibility of constructing the Project.

(b) REPORT.—

(1) TRANSMISSION.—Upon completion of the study authorized by subsection (a), the Secretary shall transmit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing the results of the study, together with recommendations regarding any recommendation to construct the project.

(2) USE OF AVAILABLE MATERIALS.—In developing the report under this section, the Secretary shall make use of reports and any other relevant information supplied by the District.

(3) DEADLINE.—No later than December 30, 2006, the Secretary shall complete the report and transmit the report to Congress pursuant to subsection (b)(2).

(c) COST SHARE.—

(1) FEDERAL SHARE.—The Federal share of the costs of the feasibility study authorized by this section shall not exceed 50 percent of the total cost of the study.

(2) IN-KIND CONTRIBUTION FOR NON-FEDERAL SHARE.—The Secretary may accept as part of the non-Federal cost share the contribution of such in-kind services by the District as the Secretary determines will contribute to the conduct and completion of the study.

SEC. 4. COOPERATIVE AGREEMENT.

All planning, design, and construction of the Project authorized by this Act shall be undertaken in accordance with a cooperative agreement between the Secretary and the District for the Project. Such cooperative agreement shall set forth in a manner acceptable to the Secretary and the District the responsibilities of the District for participating in the study and related environmental review, including, but not limited to:

- (1) preparation of an assessment of the need for the project;
- (2) preparation of feasibility and reconnaissance studies;
- (3) environmental review;
- (4) engineering and design;
- (5) construction; and
- (6) the administration of contracts pertaining to any of the foregoing.

SEC. 5. AUTHORIZATION FOR THE MADERA WATER SUPPLY AND ENHANCEMENT PROJECT.

(a) AUTHORIZATION OF CONSTRUCTION.—Upon submission of feasibility report described in section 3 and a statement by the Secretary that the project is feasible, the Secretary, acting pursuant to the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388), and Acts amendatory thereof or supplementary thereto, as far as those laws are not inconsistent with the provisions of this Act, is authorized to enter into a cooperative agreement through the Bureau with the District for the support of the design, and construction of the Project.

(b) COST SHARE.—The Federal share of the capital costs of the Project shall not exceed 25 percent of the total cost. Capital costs incurred by the District prior to the date of the enactment of this Act shall be considered a portion of the non-Federal cost share.

(c) IN-KIND SERVICES.—In-kind services performed by the District shall be considered a part of the local cost share to complete the Project authorized by subsection (a).

(d) CREDIT FOR NON-FEDERAL WORK.—The District shall receive credit toward the non-Federal share of the cost of the Project for—

(1) reasonable costs incurred by the District as a result of participation in the plan-

ning, design, and construction of the Project; and

(2) for the fair market value of lands used or acquired by the District for the Project.

(e) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of the Project authorized by this section. The operation and maintenance of the Project shall be the sole responsibility of the District.

(f) PLANS AND ANALYSES CONSISTENT WITH FEDERAL LAW.—Before obligating funds for design or construction under this section, the Secretary shall work cooperatively with the District to use, to the extent possible, plans, designs, and engineering and environmental analyses that have already been prepared by the District for the Project. The Secretary shall ensure that such information as is used is consistent with applicable Federal laws and regulations.

(g) TITLE; RESPONSIBILITY; LIABILITY.—Nothing in this section or the assistance provided under this section shall be construed to transfer title, responsibility or liability related to the Project to the United States.

(h) AUTHORIZATION OF APPROPRIATION.—There is authorized such sums as may be appropriated to carry out this section.

SEC. 6. SUNSET.

The authority of the Secretary to carry out any provisions of this Act shall terminate 10 years after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes. The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. RADANOVICH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RADANOVICH. Madam Speaker, I yield myself such time as I may consume.

H.R. 3897, introduced by myself, authorizes the Bureau of Reclamation to participate in the study, design, and construction of the Madera Water Supply and Enhancement Project. This important water bank project in my congressional district will help improve the water supply in California's San Joaquin Valley.

The over-13,000-acre ranch where the water bank is located is well suited for this project. The soils on and underneath the land are ideal for percolating water from the surface to the aquifer for storage. In addition, the land is valuable habitat for numerous species and contains large sections of the region's native grasslands.

Funding for this project is under way. Madera Irrigation District, which will operate and maintain this project, issued \$37.5 million in bonds to purchase the property. Also, the fiscal year 2006 Energy and Water Appropriations measure allocated \$200,000 to conduct a study on the feasibility of the water bank.

With increasing demands on its limited water supply, the San Joaquin Valley is falling behind in creating additional water sources. The Madera Water Supply and Enhancement Project will enable water users to store excess river flows in a nearby aquifer. This stored water bank would then be used during dry years and could prove critical to meeting demands.

I urge my colleagues to support this legislation to expand water supply opportunities in the San Joaquin Valley.

Madam Speaker, I reserve the balance of my time.

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

(Mr. PALLONE asked and was given permission to revise and extend his remarks.)

Mr. PALLONE. Madam Speaker, we on this side of the aisle have no objection to the passage of H.R. 3897. The majority has adequately explained this legislation, and I would simply note that the groundwater development project that would be authorized by the enactment of this bill could substantially improve water supply reliability in California's Central Valley.

Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RADANOVICH. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 3897, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A Bill to authorize the Secretary of the Interior, acting through the Bureau of Reclamation to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply Enhancement Project."

A motion to reconsider was laid on the table.

PARK CITY, UTAH, LAND CONVEYANCE

Mr. RADANOVICH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3462) to provide for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3462

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. CONVEYANCE OF LAND BY THE BUREAU OF LAND MANAGEMENT TO PARK CITY, UTAH.

(a) *LAND TRANSFER.*—Subject to the conditions set forth in subsections (b) and (c), and

notwithstanding the planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary of the Interior shall convey within 180 days of enactment of this Act, to Park City, Utah, all right, title, and interest of the United States in and to two parcels of real property located in Park City, Utah, that are currently under the management jurisdiction of the Bureau of Land Management and designated as parcel 8 (commonly known as the White Acre parcel) and parcel 16 (commonly known as the Gambel Oak parcel). The conveyance shall be subject to all valid existing rights.

(b) *DEED RESTRICTION.*—The conveyance of the lands under subsection (a) shall be made by a deed or deeds containing a restriction requiring that the lands be maintained as open space and used solely for public recreation purposes or other purposes consistent with their maintenance as open space. This restriction shall not be interpreted to prohibit the construction or maintenance of recreational facilities, utilities, or other structures that are consistent with the maintenance of the lands as open space or its use for public recreation purposes.

(c) *CONSIDERATION.*—In consideration for the transfer of the land under subsection (a), Park City shall pay to the Secretary of the Interior an amount consistent with conveyances to governmental entities for recreational purposes under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

SEC. 2. SALE OF LANDS AT AUCTION.

(a) *SALE OF LAND.*—Notwithstanding the planning provisions of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary of the Interior shall, in accordance with that Act and other applicable law, and subject to valid existing rights, offer for sale within 180 days of enactment of this Act, any right, title or interest in and to two parcels of real property located in Park City, Utah, that are currently under the management jurisdiction of the Bureau of Land Management and are designated as parcels 17 and 18 in the Park City, Utah, area.

(b) *METHOD OF SALE.*—The sale of land under subsection (a) shall be consistent with subsections (d) and (f) of section 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713) through a competitive bidding process and for not less than fair market value.

SEC. 3. DISPOSITION OF LAND SALES PROCEEDS.

(a) *IN GENERAL.*—All proceeds derived from the sale of the lands described in this Act shall be deposited in a special account in the treasury of the United States and shall be available without further appropriation to the Secretary of the Interior until expended for—

(1) *the reimbursement of costs incurred by the Bureau of Land Management in implementing the provisions of this Act, including surveys, appraisals, and compliance with applicable Federal laws; and*

(2) *environmental restoration projects on Bureau of Land Management administered public lands within the Salt Lake City Field Office of the Bureau of Land Management.*

(b) *INVESTMENT OF SPECIAL ACCOUNT.*—Any amounts deposited in the special account shall earn interest in an amount determined by the Secretary of the Treasury on the basis of the current average market yield on outstanding marketable obligations of the United States of comparable maturities, and may be expended according to the provisions of this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. RADANOVICH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RADANOVICH. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 3462, introduced by Congressman ROB BISHOP, instructs the Secretary of the Interior to convey to Park City, Utah, approximately 110 acres of Bureau of Land Management lands. These lands are located within the corporate limits of Park City, Utah. Park City currently holds a 25-year Recreation and Public Purposes Act lease on these parcels, and once the land is transferred to the city, it will continue to be limited to recreation and open space uses. The City would also be required to satisfy all claims on the property.

Consistent with its long-term management plan for sensitive lands, Park City has begun purchasing large blocks of open space and has placed those lands in conservation status. Park City recently approved a \$20 million bond for the purchase of such lands.

H.R. 3462 also directs the Bureau of Land Management to sell a parcel of land that has already been identified for disposal by its agency. This bill is supported by the community of Park City, Summit County, and several environmental and conservation organizations.

I urge its passage.

Madam Speaker, I reserve the balance of my time.

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

(Mr. PALLONE asked and was given permission to revise and extend his remarks.)

Mr. PALLONE. Madam Speaker, as introduced, both the Bush administration and Democrats on the Resources Committee had serious concerns with several provisions of this legislation. However, important improvements were made to the bill during consideration by the Resources Committee.

The conveyance authorized by this legislation will now include a deed restriction requiring the land to remain as open space for public recreation, will honor all valid existing rights in the parcels, and will be conveyed for fair market value.

As it now stands, we will not oppose H.R. 3462.

Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RADANOVICH. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by